

**RCO HAWAII, LLC**  
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Attorneys for Creditor  
Wells Fargo Bank, NA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF HAWAII

In re:

John DeHart Wollstein

Debtor

CASE NO. 11-00098  
(Chapter 11)

OBJECTION TO DEBTOR'S  
MOTION FOR ORDER APPROVING  
DISCLOSURE STATEMENT FOR  
PLAN OF REORGANIZATION;  
CERTIFICATE OF MAILING

[Re: Docket Entry No. 189, 190, 191]

HEARING:

DATE: November 14, 2011

TIME: 9:30 a.m.

JUDGE: Honorable Robert J. Faris

Wells Fargo Bank, NA, its successors in interest and assigns ("Creditor"), objects to Debtors Motion ("Motion") for Order Approving Disclosure Statement for Plan of Reorganization (The "Plan") of John DeHart Wollstein ("Debtor" herein). Creditor is designated as Class No. 2E.

On or about August 30, 2005, John DeHart Wollstein, executed and delivered a Promissory Note ("Note") in favor of National City Mortgage Co in the original principal amount of \$293,000.00. This Note was secured by a Mortgage ("Mortgage") encumbering real property commonly described as 3206 Ahinahina Place, Honolulu, HI 96816 ('Property').

On January 14, 2011, Debtor filed for protection under Title 11, chapter 11 of the United States Code under cause number 11-00098 in the above listed court. The outstanding balance due on the Note as of filing is approximately \$288,686.14. As of the same date the loan is contractually due from the August 1, 2010 payment.

The pre-petition arrears, including payments, late charges, escrow advances and accrued fees and costs are per Creditor's filed proof of claim. The current ongoing monthly payment is \$1,811.44. Creditor filed its Motion for Relief and the hearing was set for October 5, 2011. No formal objections were made and the hearing was removed from the calendar. Debtor requested 6 months to sell the Property. Creditor agreed to the terms and contemplates that a stipulated order will be filed.

Creditor is designated as Class 2E. Creditor submits the following objections:

1. The proposed Disclosure Statement describes a Plan that is insufficient with respect to its proposed treatment of Creditor's Mortgage. The Plan designates Creditor's Mortgage as "unimpaired". A claim is impaired if the Plan alters the legal, equitable or contractual rights to which the claim holder is otherwise entitled, unless the only alteration is the reinstatement of the original maturity and curing defaults with respect to an accelerated debt. 11 U.S.C. § 1124 (1) and (2). However, although stated otherwise, Creditor is impaired because it will not be paid its legally entitled late charges or similar fees and expenses as provided in the Mortgage terms. The exclusion of late charges comprises an unequal treatment compared to Class 2C, 3B, 3C, 3E and 6, whose late charges are proposed to be paid.

2. Debtor contemplates the sale of the subject property. Creditor anticipates that a mutually agreeable timetable will be agreed upon and that the terms of the stipulated order would be incorporated in the Plan.

3. In general terms, the disclosure and plan terms does not provide adequate information and details regarding the Debtors' general financial condition. There is lack of information as to income (rental proceeds) and expenditures, projections of profit or loss and analysis as to liquidation and cash flow.

For the above reasons, the proposed Disclosure Statement and Plan fails to adequately protect Creditor. Therefore, Creditor respectfully requests the Court deny the Motion and require an amendment.

DATED November 7, 2011.

**RCO HAWAII, LLC**  
Attorneys for Creditor

/s/ Derek Wong  
By: Derek Wong

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF HAWAII

In re:

John DeHart Wollstein

Debtor

CASE NO. 11-00098  
(Chapter 11)

CERTIFICATE OF MAILING

CERTIFICATE OF MAILING

I hereby certify under penalty of perjury under the laws of the State of Hawaii that a true and correct copy of the Objection to Debtor's Motion for Order Approving Disclosure Statement for Plan of Reorganization was sent via electronic mail and/or postage pre-paid, regular first class mail on the 7<sup>th</sup> day of November, 2011, to the parties listed on the attached Exhibit.

DATED this 7<sup>th</sup> day of November, 2011.

/s/ Renee Rivera

Renee Rivera,  
Assistant to Attorney

Label Matrix for local noticing 0975-1 Case 11-00098 District of Hawaii Honolulu Mon Nov 7 15:37:36 HST 2011	America's Servicing Company Pite Duncan, LLP 4375 Jutland Drive Suite 200 PO Box 17933 San Diego, CA 92177-7921	(c)BAC HOME LOANS SERVICING LP FKA COUNTRYWID SV-73 400 NATIONAL WAY SIMI VALLEY CA 93065-6414
BAC Home Loans Servicing, LP, c/o Prober & R 20750 Ventura Blvd., Suite 100 Woodland Hills, CA 91364-6207	BAC Home Loans Servicing, LP, its assignees 1757 Tapo Canyon Rd. Simi Valley, CA 93063-3390	Bank of America, N.A., successor by merger t 2380 Performance Dr. Bldg C Mail Stop: R Richardson, TX 75082-4333
Green Tree Servicing, LLC 7360 South Kyrene Road Tempe, az 85283-8432	HSBC Bank USA c/o Ocwen Loan Servicing, LLC 1661 Worthington Rd. Suite 100 West Palm Beach, FL 33409-6493	Kessner Umebayashi Bain & Matsunaga 220 S King St, Ste 1900 Honolulu, HI 96813-4593
PNC Bank, NA 3232 Newmark Drive Miamisburg, OH 45342-5421	Recovery Management Systems Corporation 25 S.E. 2nd Avenue, Suite 1120 Miami, FL 33131-1605	Wells Fargo Bank, N.A. c/o Ocwen Loan Servicing, LLC 1661 Worthington Rd. Suite 100 West Palm Beach, FL 33409-6493
Wells Fargo Bank, NA c/o BAC Home Loans Servicing LP 400 National Way Mail Stop: CA6-919-01-23 Simi Valley, CA 93065-6414	USBC Clerk's Office 1132 Bishop Street Suite 250 Honolulu, HI 96813-2830	America's Servicing Co P.O. Box 60768 Los Angeles, CA 90060-0768
American Express P.O. Box 981535 El Paso, TX 79998-1535	American Express Bank FSB c/o Becket and Lee LLP POB 3001 Malvern PA 19355-0701	American Savings Bank P.O. Box 2300 Honolulu, HI 96804-2300
Antone & Janet Mindoro 1130 Ahe Ahe Ave Wahiawa, HI 96786-1204	BAC Home Loans Servicing LP 450 American St, SW Simi Valley, CA 93065-6285	BAC Home Loans Servicing, LP 400 National Way Mail Stop: CA6-919-01-23 Simi Valley, CA 93065-6414
BAC Home Loans Servicing, LP Bk. Dept., Mail Stop CA6-919-01-23 400 National Way Simi Valley, CA 93065-6414	BAC Home Loans Servicing, LP c/o Prober & Rapahel, A Law Corp. 20750 Ventura Blvd., Suite 100 Woodland Hills, CA 91364-6207	BAC Home Loans Servicing, LP, et al BK Dept. MS CA6-919-01-23 400 National Way Simi Valley, CA 93065-6414
Bank of America P.O. Box 15026 Wilmington, DE 19850-5026	Bank of America P.O. Box 3170 Simi Valley, CA 93062-3170	Bank of America P.O. Box 5170 Simi valley, ca 93062-5170
Bank of America National Association America's Servicing Company MAC X7801-014 ATTN: Bankruptcy Department 3476 Stateview Blvd. Fort Mill, SC 29715-7203	Bank of America, NA c/o Chase Home Finance, LLC 3415 Vision Drive Columbus, OH 43219-6009	Bank of Hawaii Bankoh Loan Center P.O. Box 2715 Honolulu, HI 96803-2715

Bank of Hawaii  
Mortgage Collection #740  
P.O. Box 2900  
Honolulu, HI 96846-0001

Bank of Hawaii  
P.O. Box 3650  
Honolulu, HI 96811-3650

Becket & Lee LLP  
P.O. Box 3001  
Malvern, PA 19355-0701

Berlin Kaio  
P.O. Box 174  
Laie, HI 96762-0174

CENTRAL PACIFIC BANK  
PO BOX 3590  
HONOLULU HI 96811-3590

CMRE Financial Services  
3075 E Imperial Hwy #200  
Brea, CA 92821-6753

Chase  
P.O. Box 15298  
Wilmington, DE 19850-5298

Chase Bank USA N.A.  
P.O. Box 15145  
Wilmington, DE 19850-5145

Chase Continental  
P.O. Box 15145  
Wilmington, DE 19850-5145

Chase Home Finance  
P.O. Box 78420  
Phoenix, AZ 85062-8420

Chase Home Finance  
P.O.Box 24969  
Columbus, OH 43224-0696

Chase Home Loans  
P.O. Box 24696  
Columbus, OH 43224-0696

Citizens First Bank  
701 Broad Street  
Rome, GA 30161-3196

(c)COUNTRYWIDE HOME LOANS  
400 NATIONAL WAY  
SIMI VALLEY CA 93065-6414

Department of Taxation  
State of Hawaii  
Attn: Bankruptcy Unit  
P.O. Box 259  
Honolulu, HI 96809-0259

Discover Bank  
DB Servicing Corporation  
PO Box 3025  
New Albany Ohio 43054-3025

Discover Bank  
DB Servicing Corporation  
PO Box 3025  
New Albany, OH 43054-3025

Discover Card  
P.O. Box 3025  
New Albany, OH 43054-3025

Discover Card  
P.O. Box 6103  
Carol Stream, IL 60197-6103

First Hawaiian Bank  
Loan Recovery Dept  
P.O. Box 4070  
Honolulu, HI 96812-4070

First Hawaiian Bank  
P.O. Box 4070  
Honolulu, HI 96812-4070

Flag Star Bank  
5151 Corporate Dr.  
Troy, MI 48098-2639

Flagstar Bank  
P.O. Box 371891  
Pittsburgh, PA 15250-7891

Gerald Larkins  
918 Lunanilo St  
Honolulu, HI 96822-3572

HSBC Bank USA  
c/o Chase Home Finance, LLC  
3415 Vision Drive  
Columbus, OH 43219-6009

HSBC Bank USA  
c/o JPMorgan Chase Bank, NA  
Dept OH4-7142  
3415 Vision Drive  
Columbus, OH 43219-6009

HSBC Bank USA, NA  
800 Brooksedge Boulevard  
Mail Code OH4-7302  
Westerville, OH 43081-2822

Hawaii Schools FCU  
233 S Vineyard  
Honolulu, HI 96813-2474

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Internal Revenue Service  
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Philadelphia, PA 19101-7346

James & Franchesca Shipman  
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671 Bataan Pl  
Monterey Park, CA 91755-4264

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Honolulu, HI 96830-1000

New Century Mortgage Corp  
P.O. Box 11052  
Orange, CA 92856-8152

New Century Mortgage Corp.  
18400 Von Karman  
Irvine, CA 92612-1514

Ocwen Loan Servicing LLC  
P.O. Box 6440  
Carol Stream, IL 60197-6440

Ocwen Loan Servicing, LLC  
Attn: Bankruptcy Department  
1661 Worthington Rd  
Suite 100  
West Palm Beach, FL 33409-6493

Ocwen Loan Svc  
P.O. Box 785057  
Orlando, FL 32878-5057

Office of the U.S. Trustee  
1132 Bishop Street, Suite 602  
Honolulu, HI 96813-2830

PNC Bank, NA  
c/o Derek Wong, Esq.  
RCO Hawaii, LLC  
900 Fort Street Mall, Suite 800  
Honolulu, HI 96813-3706

PNC Mortgage  
P.O. Box 1820  
Dayton, OH 45401-1820

Sears Gold Mastercard  
P.O. Box 6286  
Sioux Falls, SD 57117-6286

Tango Juliet Leasing LLC  
301 Kaialii Place  
Honolulu, HI 96821-2518

Tango Juliet Leasing LLC  
c/o law Offices of TJ Lane  
55 Merchant St., #3000  
Honolulu, HI 96813-4397

The Bank of New York Mellon  
c/o BAC Home Loans Servicing, LP  
400 National Way  
Mail Stop: CA6-919-01-23  
Simi Valley, CA 93065-6414

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c/o Chase Home Finance, LLC  
3415 Vision Drive  
Columbus, OH 43219-6009

Wells Fargo Bank  
P.O. Box 5169  
Sioux Falls, SD 57117-5169

Wells Fargo Bank, N.A.  
Home Equity Group  
X2303-01A - 1 Home Campus  
Des Moines, IA 50328-0001

Wells Fargo Home Mortgage  
3476 Stateview Blvd.  
Fort Mill, SC 29715-7203

Wells Fargo Home Mortgage  
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Phoenix, AZ 85062-8258

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Honolulu, HI 96813-2826

John DeHart Wollstein  
2415 Ala Wai #1901  
Honolulu, HI 96815-3410

Timothy B. Prickett  
P.O. Box 700332  
Kapolei, HI 96709-0332

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service  
915 2nd Avenue, M/S 243  
Seattle, WA 98174

(d)Internal Revenue Service  
Centralized Insolvency Operations  
PO Box 21126  
Philadelphia, PA 19114-0326

Addresses marked (c) above for the following entity/entities were corrected  
as required by the USPS Locatable Address Conversion System (LACS).

BAC Home Loans Servicing LP fka Countrywide  
400 Countrywide Way  
SV-73  
Simi Valley, HI 93065

Countrywide Home Loans  
400 Countrywide Way  
Simi Valley, CA 93065-6298

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Bank of Hawaii

(u)Estate of Gerald Larkin

(u)Hawaii Schools FCU

(u)US Bank National Assoc.

(d)American Savings Bank  
P.O. Box 2300  
Honolulu, HI 96804-2300

(d)Central Pacific Bank  
P.O. Box 3590  
Honolulu, HI 96811-3590

(d)Chase Bank USA, N.A.  
PO Box 15145  
Wilmington, DE 19850-5145

(d)Chase home finance  
P.O. Box 78420  
Phoenix, AZ 85062-8420

(d)Green Tree Servicing,LLC,  
7360 South Kyrene Road,  
Tempe, AZ 85283-8432



(d)Ocwen Loan Servicing, LLC  
Attn:Bankruptcy Department  
1661 Worthington Rd  
Suite 100  
West Palm Beach, FL 33409-6493

(u)PNC Bank, NA

(d)Recovery Management Systems Corporation  
25 S.E. 2nd Avenue, Suite 1120  
Miami, FL 33131-1605

(d)Wells Fargo Bank, NA  
c/o BAC Home Loans Servicing, LP  
400 National Way  
Mail Stop: CA6-919-01-23  
Simi Valley, CA 93065-6414

(d)Mary Simpson  
Hawaiian Ebbtide  
159 Kaiulani Ave., #211  
Honolulu, HI 96815-3239

End of Label Matrix	
Mailable recipients	93
Bypassed recipients	14
Total	107